

REMARKS


Claim 1 has been amended to call for a sidewall spacer that extends the length of the pore such that the heater is then formed in the pore after the sidewall spacer is in place. Note that in Harshfield the opposite sequence is utilized. This results in the use of more heater material and possibly greater power consumption.

The present application and the Chiang reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person. Both the inventor of the Chiang patent and the present application are employees of Intel Corporation and had an obligation to assign to Intel Corporation. By virtue of a joint relationship with Ovonyx, it was ultimately determined to assign the present application to Ovonyx. Thus, although the present application and the Chiang reference were owned by different entities, they still meet the test of Section 103(c).

In view of these remarks, the application should now be in condition for allowance.

Respectfully submitted,

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